

ARGUMENTS FOR RECONSIDERATION OF ELECTION / RESTRICTION AND ALLOWANCE OF APPLICATION

The Office Action enlists several patentably distinct species of the claimed invention, and pursuant to 37 CFR 1.146 requires the applicant to elect a species of his invention to restrict applicant's claim. It is to be noted that all of the claims elicited in ¶1 of the Office Action, with the exception of claims 151 and 221, are claims dependent on one or more allowable generic claims, and therefore maintainable pursuant to 37 CFR 1.141(a), as claims dependant on an allowable generic claim. However, guided by this Examiner's review, the applicant amends his application to limit his generic claims to only two independent claims, viz. claim 249 and 259, both attributed to a single identifiable species US Class 345/717. The new claims 250-258 are dependant on the new allowable generic claim 249, and the new claims 260-268 are dependant on new allowable generic claim 259; therefore as required under 37 CFR 1.141(a), the amended "application [now] includes [two] allowable claim[s] generic to all the claimed species and all the claims to species in excess of one are written in dependant form or otherwise include all the limitations of the generic claim." See 37 CFR 1.141(a). If the Examiner finds the new generic claims 249 and 268 allowable, applicant's burden under CFR 1.141 is met. As reasons therefore, the request for election of species is moot and applicant respectfully moves for reconsideration of Examiner's decision on election / restriction of species.

Applicant has amended the claims of this application so that they are proper, definite and define novel process, which is unobvious. The amended claims 249-268

articulate with greater clarity and focus the novelty of the specification and claims over the prior art, by limiting the scope of invention to a novel cursor-responsive floating window, which is unpredictable by the prior art and therefore patentably unobvious. The applicant further submits that the specification and claims are now in proper form, and that the claims all define patentability over the prior art.

Conclusion

For all of the above reasons, applicant submits that his claims are now in proper format defining patentability over the prior art, and hence entitled for an allowance. If for any reason this application is not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. §2173.02 and §707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Respectfully submitted,



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